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INTELLECTUAL PROPERTY LAW

To:	U.S. Patent & Trademark Office	From:	Michael M. McGaw
Attn:	Zhiyu Lu - Art Unit 2682	Client:	1136.36
Fax:	(571) 273-8300	Pages:	44 including coversheet
Phone:	(571) 272-2837	Date:	January 9, 2006
Re:	USSN 10/605,202	CC:	John F. Baxter, Jr.

☐ Urgent ☒ For Review ☐ Please Comment ☐ Please Reply ☐ Please Recycle

Dear Examiner Lu:

In response to the non-final office action mailed August 9, 2005, we enclose the following:

- 1) Amendment Transmittal with Certificate of Facsimile Transmission under 37 CFR 1.8(a) dated January 9, 2006 - (2 pages);
- 2) Petition and Fee for Extension of Time under 37 CFR 1.136(a) - (2 pages);
- 3) Amendment A with Certificate of Facsimile Transmission under 37 CFR 1.8(a) dated January 9, 2006 - (27 pages);
- 4) Eleven (11) sheets of replacement drawings; and
- 5) Credit Card Payment Form PTO-2038 in the amount of \$425.00 - (1 page).

Very respectfully,

Michael M. McGaw
Reg. No. 53,296

The documentation accompanying this transmission contains information from the Law Office of Smith & Hopen, P.A., which is confidential and/or privileged. The information is intended only for the use of the individual or entity named on this sheet. If you are not the intended recipient, you are hereby notified that any disclosure, copying, distribution, or the taking of any action in reliance upon the contents of this telecopied information is strictly prohibited. If you have received this transmission in error, please notify us by telephone immediately, so that we can arrange for the return of the original documents to us at no cost to you.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No. : 10/605,202
Applicant: : John F. Baxter, Jr.
Filed: : 09/15/2003
Art Unit : 2682
Examiner : Zhiyu Lu

Docket No. : 1135.36
Customer No. : 21,901
For : Audio Content Distribution System

Confirmation No.: 2201

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Transmitted to Central Fax at (571) 273-8300
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

AMENDMENT TRANSMITTAL

1. Transmitted herewith is an amendment for this application.

STATUS

2. Applicant is an independent inventor.

EXTENSION OF TERM

3. The proceedings herein are for a patent application and the provisions of 37 C.F.R. 1.136 apply. Applicant believes that an extension of term is required. Petition and Fee for Extension of Time is attached hereto.

CERTIFICATE OF FACSIMILE TRANSMISSION

(37 C.F.R. 1.8 (a))

I HEREBY CERTIFY that this correspondence is being transmitted by facsimile to the United States Patent and Trademark Office, Art Unit 2682, Attn: Zhiyu Lu, (571) 273-8300, on January 9, 2006.

Dated: January 9, 2006


Deborah Preza

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(Amendment Transmittal—page 1)

FEE FOR CLAIMS

4. The fee for claims (37 C.F.R. 1.16(b)-(d)) has been calculated as shown below:

	(Col.1)		(Col. 2)	(Col. 3)	SMALL ENTITY	
	Claims Remaining After Amendment		Highest No. Previously Paid For	Present Extra	Rate	Addit. Fee
Total	31	Minus	36	= 0	x \$25 =	\$0
Indep.	8	Minus	6	= 2	x \$100 =	\$200
First Presentation of Multiple Dependent Claim					+ \$180 =	\$0
Total					Addit. Fee	\$200

- * If the entry in Col. 1 is less than the entry in Col. 2, write "0" in Col. 3.
 - ** If the "Highest No. Previously Paid For" IN THIS SPACE (Column 2, Row 1) is less than 20, enter "20".
 - *** If the "Highest No. Previously Paid For" IN THIS SPACE (Column 2, Row 2) is less than 3, enter "3".
- The "Highest No. Previously Paid For" (Total or Indep.) is the highest number found in the appropriate box in Col. 1 of a prior amendment or the number of claims originally filed.

An additional fee for claims is required. Credit Card Payment PTO-2038 is attached.

Very respectfully,


SIGNATURE OF PRACTITIONER

Reg. No. 53,296
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Attorneys for Applicant

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(Amendment Transmittal—page 2)